

July 16, 1933.

Arizona State Board of Optometry,
9 West Adams Street,
Phoenix, Arizona.

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ARIZONA ATTORNEY GENERAL

Gentlemen:

In answer to your letter of June 17th wherein you request an opinion as to whether or not optometrists practicing optometry should not be compelled to practice in a building or an office in which there is no other place of business and that this place should have a separate entrance. You further state that this thought is for the protection of the health and sanitation of the general public. You further wish to know whether the Board of Optometry has the power to make rulings and regulations regarding this phase of optometric practice.

Please be advised that we are unable to find any authority in the Optometry Act whereby your board may make such a ruling. We are of the opinion that Section 857C, R. S. A. 1923, which provides in part as follows:

"The Board shall organize and elect from its members a president and a secretary-treasurer who shall hold office for one year; make rules for the performance of its duties, and for the examination of applicants for certificates of registration; &c. &c."

does not sufficiently vest your Board with sufficient power to adopt a rule such as you wish.

Yours very truly,

JOB CONWAY,
Attorney General.

ALBERT M. GARCIA,
Assistant Attorney General.

EARL ANDREW,
Special Assistant
Attorney General.